



Tulsa Police Department

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Policy # 119
Policy Name City Vehicle Collisions
Approved by *Dennis Larsen, Chief of Police*

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PURPOSE OF CHANGE:

Updated reporting procedures for Axon.

POLICY:

City ordinances require that the Tulsa Police Department investigate traffic collisions involving City-owned vehicles. Collisions involving City-owned vehicles resulting in personal injury or non-city owned property damage will be reported for investigation. In all city vehicle collisions investigating officers will complete an official Oklahoma Traffic Collision Report, except:

- collisions where only City-owned vehicles are involved,
- there are no injuries,
- there has been no damage to non-city-owned property.

Except as set forth in this procedure, photographs will be taken of damage to City-owned vehicles and other vehicles, or property involved in the collision. They will be uploaded to Evidence.com.

SUMMARY: Procedures for reporting damage to police vehicles, investigating collisions involving City-owned vehicles, and the post-collision review process.

APPLIES TO: All police personnel.

DEFINITIONS:

COLLISION – an occurrence whereby property damage or bodily injury results from the operation of a driver-controlled vehicle.

COLLISION REPEATER PROGRAM – a program designed to identify and evaluate potential safety issues as they relate to driving.

GREAT BODILY INJURY – injury which creates a substantial risk of death, or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

POLICE DEPARTMENT LICENSE POINT SYSTEM – a numerical system put in place to track the driving history of police employees.

LAW ENFORCEMENT DRIVER TRAINING (LEDT) Referral – the referral is designed to give officers immediate feedback on their driving behavior and ability in an effort to provide personnel with a safe working environment. See TOG 2009, *LEDT Referral*, for further detail.

MINOR DAMAGE – consists of minimal cosmetic defects, generally requiring limited efforts to repair (i.e., shallow scratches to a vehicle's clear coat layer requiring light buffing to remove). In addition, structural damage, impairment to a vehicle's safety, and negative impact to the vehicle's normal function, in part, are indicators of damage beyond minor.

DAMAGE TO A VEHICLE - Whether parked or in motion, damage that does not result from a collision with another vehicle or object in the normal course of driving. This includes, but is not limited to, damage caused by unforeseen hazards, severe weather events, road debris, animals in the roadway, vandalism or intentional acts. In addition, officers/employees must be adhering to the rules of the road.

PROCEDURES:

A. ACTIONS FOLLOWING A CITY VEHICLE COLLISION OR NON-COLLISION DAMAGE

1. Employees will notify dispatch immediately if they are involved in a collision in their city vehicle. If the collision occurred outside the city limits of Tulsa, the agency having jurisdiction will be notified and will investigate the collision.
2. Police collisions with injuries occurring within the City of Tulsa will be investigated by an Advanced Traffic Investigator (ATI) if available.
3. Employees will notify an on-duty supervisor who will respond to the scene. The circumstances and seriousness of the collision, as well as the distance from Tulsa, will determine the necessity of having a Tulsa Police supervisor respond to the scene of a collision occurring outside the Tulsa city limits.
4. The employee involved in the collision will provide the investigating officer with all of the necessary information for completion of the traffic investigation.
5. When the collision results in damage to the property or vehicle of a private person, the investigating officer or supervisor shall instruct the person to call the City Legal Department for direction in filing a claim. The on-duty supervisor shall assure that when a vehicle of a private person is involved, the mileage of the vehicle and the private insurance information is retained and documented in the Axon Standards *City Vehicle Collision Report* (narrative section or with photos).
6. If great bodily injury or loss of life occurred in the collision, the scene supervisor shall request that the dispatcher notify the Tulsa Police Department Legal Advisor and the appropriate divisional chain of command.
7. If great bodily injury or loss of life occurred in the collision, the scene supervisor shall request a Crime Scene Detective (CSD) to photograph the scene. If the collision is non-injury and non-fatality in nature, officers shall contact an on-duty supervisor to have photographs taken. Supervisors will ensure that quality photographs are taken.
8. If great bodily injury or loss of life occurred in the collision, the on-scene supervisor is responsible for coordinating with their divisional Traffic Enforcement Unit to have the Event Data Recorder (“black box” EDR) downloaded and that the vehicle, if equipped with an In-Car Video (ICV) system, is towed, or driven to a division with download access points. If the vehicle power is disabled, the scene supervisor must notify PITD and request a manual download of the ICV system.
9. The following items are required to be listed in the Traffic Collision Report:
 - a. In the Owner’s Address Section, list the department’s street address.
 - b. In the narrative, identify the name of the photographer and list the vehicle number.
 - c. In the Owner’s Name Section, list the City of Tulsa, the department, and the division to which the employee is assigned.
10. If great bodily injury or death occurs, refer to policy 110B, *Traffic Collisions*.
11. Non-collision damage to a vehicle will be entered into Axon Standards, utilizing Property Damage/Issue. This will be routed through the employee’s chain of command.

B. REQUIRED REPORTS – POLICE DEPARTMENT VEHICLE COLLISIONS

1. The investigating officer will complete an official *Oklahoma Traffic Collision Report* in any police vehicle collision where there are injuries or damage to vehicles or property not owned by the City of Tulsa.
2. The employee's supervisor will respond to the scene, unless not available or was involved in the collision, then an available field supervisor will respond. The supervisor will complete the Axon Standards report.
3. In circumstances where a police vehicle is involved in a collision with a fixed object (utility pole, bollard, etc.) only police department vehicles collide and there are no injuries and no damage to non-city property, no official *Oklahoma Traffic Collision Report* is required, regardless of the amount of damage to the police vehicle. The supervisor will complete the City Vehicle Collision report. Collisions occurring with a civilian as an occupant of the police vehicle **will require** the official *Oklahoma Traffic Collision Report*.
4. The employee involved in the collision will complete an *Interoffice Correspondence* as soon as possible explaining in sufficient detail the facts and circumstances of the collision. If the involved employee is physically unable to complete the *Interoffice Correspondence*, the supervisor will note this in the Blue Team narrative. The original *Interoffice Correspondence* will be forwarded to the scene supervisor.
5. The scene supervisor will then upload or associate the following items to the *City Vehicle Collision* or *Property Damage/Issue* reports in Axon Standards: employee's Interoffice Correspondence, Oklahoma Traffic Collision Report, any links from Evidence.com for photographs taken at the scene, and if applicable, the LEDT Referral form. After the supervisor(s) reviews the uploaded items in the *City Vehicle Collision Form*, the supervisor(s) will make a recommendation as to if the employee contributed to the cause of the collision. The *City Vehicle Collision Form* will then be forwarded through the employee's chain of command to their division commander. The divisional Administrative Lieutenant will also be sent a copy. The *City Vehicle Collision* or *Property Damage/Issue* must be completed and forwarded as soon as practical.
6. When preliminary evidence reveals the actions of the officer contributed to the cause of the collision, the investigating supervisor shall contact a LEDT Unit instructor to schedule a documented LEDT referral. Whenever possible, the referral form is to be completed before the end of the officer's next scheduled shift. For further details see TOG 2009, *LEDT Referral*.

C. REQUIRED REPORTS – OTHER CITY VEHICLES

1. For non-sworn departments city vehicle collisions, when there is damage to non-city owned vehicle / property or a reported injury, a collision report is all that is required from the investigating officer. City departments other than Police and Fire have a set of procedures for their employees. If the employee has not notified City Health/Safety, advise dispatch to make the notification. Investigating officers will provide a report number, and, if possible, a copy of the official Oklahoma Traffic Collision Report Form to the employee's supervisor and/or to City Health/Safety.

D. TPD COLLISION REVIEW BOARD

1. The Collision Review Board (CRB) of the Tulsa Police Department shall meet monthly to review all internal collisions of the Tulsa Police Department. As it relates to collision review, the CRB shall consist of the following members:
 - a. Chair -Special Operations Division commander (non-voting, except to break a tie).
 - b. Operations Bureau and Training Division Administrative Lieutenants.
 - c. Special Investigations Division Equipment Officer or designee.
 - d. Detective Division (any rank).
 - e. LEDT Coordinator or designee.
 - f. Advanced Traffic Investigator (any rank).

- g. Divisional Equipment Specialist (one from Operations Bureau).
 - h. TPD Safety/Equipment Manager (non-voting).
2. The employee should discuss the details of the collision with their divisional designee prior to the meeting.
 3. The TPD Safety/Equipment Manager shall collect investigative reports for the Collision Review Board for review. The LEDT Coordinator shall collect all applicable data related to employee's collisions to identify trends in relation to employee driving behaviors, to maintain current training guidelines.
 4. Findings from the Collision Review Board shall be based on contemporaneous reports, ICV, EDR, and facts known to the involved employee at the time of the collision. Training techniques taught, and preventative actions taken by the officer should be given consideration during the review process. Mitigating factors such as repair cost will also be considered.
 5. The CRB chairperson will appoint a member to record the minutes. Copies of the CRB Meeting Minutes and the findings on employee collisions shall be sent to the Fraternal Order of Police and posted on the department's internal website.
 6. The CRB chair (or designee) will notify the employee and their supervisor via email of the board's decision within ten (10) days of the finding. The notification will include the collision report number, date of the collision, and the points assessed, if any. If an employee wishes to appeal the points assessed by the CRB, they have ten (10) working days to reply to the notification email, stating they wish to appeal the decision.
 7. All appeals will be reviewed by the Collision Appeal Committee. The committee shall consist of the following members:
 - a. Chair – Deputy Chief (appointed by the Chief of Police).
 - b. Employee's Division Commander or Director.
 - c. Training Division Commander.
 - d. Collision Review Board Chair.
 8. The Collision Appeal Committee Chair will notify the employee of the appeal hearing date, time, and location. Findings of the Collision Appeal Committee shall be binding. Suspension of an employee's driving privileges shall be subject to the grievance procedure.
 9. The administration of the Driving Point System shall be conducted by the Collision Review Board as follows:
 - a. The TPD Safety Equipment Manager shall maintain a record of all points assessed against an employee's driving record.
 - b. If an employee accumulates twelve (12) or more points in a twenty-four (24) month period, their driving privileges shall be suspended for a period of time up to twelve (12) months, and appropriate restrictions may be imposed as a condition for reinstatement at the end of the suspension term. The CRB Chair will forward all suspension recommendations to the Chief of Police.
 - c. Points assessed to an employee will be removed twenty-four (24) months after the date of the collision.
 10. The Police Department Driving Point System shall be based on the below guidelines to include cost of repairs:
 - 1) **5 Points: Chargeable Collision (Flagrant):** The action of the driver was without consideration for the safety of others, creating an environment that is likely to cause damage and/or injury.
 - 2) **4 Points: Chargeable Collision:** The action of the driver was the primary cause of the collision when reviewed with regard to the application of proper defensive driving techniques. There are no mitigating factors.
 - 3) **3 Points: Chargeable/Preventable Collision:** The action of the driver was the primary cause of the collision, but mitigating factors substantially contributed to the event. Environmental factors such as

sand, ice, snow, poor visibility, etc. should be considered.

- 4) **2 Points: Chargeable/Defensible Collision:** The action of the driver could have prevented the collision from occurring if proper defensive driving techniques had been utilized. Mitigating factors could include driving in response to emergency traffic (i.e., 10-24, 10-33 or 10-63 traffic) or where life is in danger. The action of the driver must be reasonable when viewed by the totality of the circumstances.
- 5) **1 Point: Chargeable/Minor:** The action of the driver was not flagrant or excessive, and/or the damage was minor as determined by the review process. Examples would include driving off with the gas pump attached that causes damage, or curb strikes causing any vehicle damage.
- 6) **0 Points: Non-Chargeable Collision:** The action of the driver was not the cause of the collision.

11. The TPD Safety Equipment Manager maintains a record of all points assessed against an employee's driving record. The Safety Equipment Manager will notify the LEDT Coordinator and the employee's Division Commander to initiate the Collision Repeater Program when any employee accumulates eight (8) or more points on the department's license point system within any twenty-four (24) month period. Part of this review will consist of a conference including the following individuals:

- a. Employee (may also have a FOP representative attend).
- b. Employee's Division Commander (Chair)
- c. Employee's Shift Commander.
- d. Employee's Supervisor.
- e. LEDT Coordinator or designee.

12. The Collision Repeater Program is tasked with reviewing the circumstances of the employee's collisions or incidents and ensuring that the problems leading to these occurrences are identified and corrected. The recommendation for action will come from the employee's chain of command. This review is not disciplinary in nature and corrective steps may include one or more of the following:

- a. LEDT Class.
- b. Employee Assistance Program.
- c. Medical Examination.

13. At 7 points and under, an employee can choose to complete a voluntary point reduction class following a collision once per year. The employee will notify their chain of command to assist in enrolling in a point reduction class. If the class is completed, the employee will receive a one (1) point reduction on their most recent collision. The class agenda will be determined by the LEDT Coordinator.

14. Following the recommendation(s) of the collision repeater program board, the employee may be required to attend a remedial driving class. The class agenda will be determined by the LEDT Coordinator.

E. COLLISIONS WHICH OCCUR DURING LEDT TRAINING:

1. Non-injury collisions which result in vehicle damage to Police vehicles only shall be documented in an Inter-Office Memo to the Training Division Commander by the LEDT Team Leader.
2. Collisions during training which result in injuries will require the completion of a *City Vehicle Collision* report listed as "Damage non-collision" by the LEDT Coordinator or designee. The report will be submitted to the Training Division Commander.
3. Collisions which occur during LEDT Training will not be submitted to the CRB.

REGULATIONS:

1. The Supervisor(s) will ensure all required reports are completed in Axon Standards and all photos uploaded to Evidence.Com within one week of occurrence.

2. Any employee who accumulates eight (8) or more points against their city license within any twenty-four (24) month period shall be required to attend a LEDT Class. The course shall be minimum of eight (8) hours and arranged by the LEDT Coordinator.
3. Procedures D.1-14 and Regulation 2 are considered a part of the Collective Bargaining Agreement between the City of Tulsa and the Tulsa Fraternal Order of Police, Lodge 93, and can only be modified through the negotiation process.

REFERENCES:

110B, *Traffic Collisions*
TOG 2009, LEDT Referral
Collective Bargaining Agreement